

Board of Zoning Appeals

601 Lakeside Avenue, Room 516
Cleveland, Ohio 44114-1071
[Http://planning.city.cleveland.oh.us/bza/cpc.html](http://planning.city.cleveland.oh.us/bza/cpc.html)
216.664.2580

MARCH 11, 2019

9:30

Calendar No. 19-19:

506 Literary Avenue

Ward 3

Kerry McCormack

14 Notices

City of Cleveland, owner, and Gertz Building Co., prospective purchaser proposes to erect a 2,940 square foot, 3 story, two family dwelling on a 2,500 square foot lot in a B1 Multi-Family Residential District. The prospective purchaser appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that in a "B" Area District, the maximum square foot of the building cannot exceed ½ the lot area or in this case 1,250 square feet. This section also states that a 50 foot wide lot is required and a 25 foot width is proposed.
2. Section 355.04 which states that a 6,000 square foot minimum lot area is required for a two family dwelling and 2,500 square foot lot is proposed.
3. Section 357.06(b) which states that a minimum front setback of 12.33 feet is required and a 7 foot front setback is proposed.
4. Section 357.09(b)(2)(C) which states that interior side yards should be 8 feet each and the appellant is proposing 2 feet and 3 feet.
5. Section 357.09(b)(2)(C) which states that no building shall be erected within 10 feet of a main building on an adjoining lot; the proposed building is within 8 feet and 5 feet of houses on adjoining lots.
6. Section 341.02(b) which states that new residential development requires approval of the City Planning Commission Department. (Filed February 6, 2019)

9:30

Calendar No. 19-20:

**3918 E. 147 Street/Division of
the Environment Violation
Notice**

Ward 1

Joseph T. Jones

Q.L. & B. LLC., owner, appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the Division of the Environment to issue Violation Notice on February 1, 2019 regarding failure to comply with Section 211.02 of the Cleveland Codified Ordinance which states that the owner must abate the nuisance of rodents, insects or vermin (Filed February 7, 2019).

9:30

Calendar No. 19-21:

2481 Tremont Street

Ward 3

Kerry McCormack

12 Notices

2481 Tremont LLC, owner, proposes to erect a 1,068 square foot single family house with a detached garage on a 4,224 square foot lot in a C1 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that a minimum lot area of 4,800 square feet is required for a single family dwelling and a 4,224 square foot lot area is proposed.

2. Section 357.09(b)(2)(B) which states that in a Two-Family District no interior side yard, shall be less than five (5) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth (1/4) the height of the main building on the premises. The required side yard is 6'-2" and a 5'-0" side yard is proposed.
3. Section 357.06(a) which states that the front yard setback shall be the average of the setbacks of the existing buildings; existing building line is approximately 15 feet and an 8'-2 1/2" setback is proposed.
4. Section 341.02(b) which states that City Planning approval is required prior to the issuance of a building permit. (Filed February 11, 2019)

9:30

Calendar No. 19-22:

1633 Auburn Avenue

Ward 3

Kerry McCormack

14 Notices

Ohio Awning Equity, LLC. owner, proposes to erect a 95 unit apartment building with a small bakery on the ground floor in a G2 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.08(b)(1) which states that the required rear yard is 27 feet and 5 feet are proposed.
2. Section 357.05(a) which states that the required Side Street Yard is 5 feet and 3 feet are proposed
3. Section 357.09(c) which states that the required Interior Side Yard is 13 feet and 6.5 feet are proposed.
4. Section 325.03 which states that a parking space is required to be not less than 180 square feet and the appellant is proposing 136 square feet (16' x 8.5').
5. Section 352.10 which states that a 6 foot wide landscape strip is required between the parking lot and the street where parking lot abuts the street and a 5 foot wide landscape strip is proposed.
6. Section 349.15 which states that 5 bicycle parking spaces are required and no bicycle parking spaces are proposed. (Filed February 11, 2019)

9:30

Calendar No. 19-23:

6114 Francis Avenue

Ward 5

Phyllis E. Cleveland

27 Notices

Elizabeth Baptist Church appealed for a use variance to establish a group home, a homeless shelter, within a B1 Two-Family District on an irregular shaped parcel, and subject to Section 337.03(a)(b) in the Cleveland Codified Ordinances the proposed use is not permitted and is first permitted in zoning for a Multi-Family District. (Filed February 12, 2019)

POSTPONED FROM FEBRUARY 4, 2019

9:30

Calendar No. 18-221:

3629 Rocky River Drive

Ward 17

Martin J. Keane

15 Notices

Brian Meisterics, owner, propose to change use from two dwelling units to four dwelling units in an A1 One-Family Residential District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 337.02 which states that multi-family use (4 dwelling units) is not a permitted use in the One-Family District; first permitted in Multi-Family District per Section 337.08.
2. Section 359.01 which states that an expansion of a nonconforming use requires BZA Approval. (Filed October 3, 2018-Testimony taken)*SECOND POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT TO ALLOW FOR TIME TO RESEARCH NEIGHBORHOOD CONDITIONS FURTHER. FIRST POSTPONEMENT MADE FOR 90 DAYS DUE TO DISCOVERY OF RES JUDICATA. THE BOARD HEARD AND DENIED AN IDENTICAL REQUEST IN CALENDAR NUMBER 88-274. THE BOARD WILL REVIEW NEW INFORMATION THAT WILL DIFFERENTIATE THE TWO CASES.*